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SUBJECT: TURKEY: GOT FLOATS A TRIAL BALLOON ON GENERAL
AMNESTY FOR PKK

Classified By: Political Counselor Janice G. Weiner for reasons 1.4(b)
and (d)

¶1. (C) SUMMARY: PM Erdogan sent up a trial balloon December 9 on the possibility of issuing some form of amnesty to PKK members. As the GOT and military continue to work closely with us to implement the November 5 understanding, they want to keep the pressure on both the PKK in northern Iraq and on Iraqi Government and Kurdish Regional Government (KRG) officials to hinder the PKK's freedom to operate there. Erdogan and the ruling Justice and Development Party (AKP) are now using the breathing room our joint efforts have created to consider ways to achieve the demobilization and reintegration of PKK fighters, something a number of the PM's predecessors have sought to accomplish in the past, and failed. Whether this effort will be more successful in attracting PKK members to return home from the mountains than previous repentance laws will depend greatly on the level of support from the military. Judging from the vehement response by the political opposition to Erdogan's remarks, the AKP will have to proceed cautiously to achieve the consensus required on an issue of such national significance.
END SUMMARY

ERDOGAN DISCUSSES POSSIBILITY OF NEW APPROACH TOWARD AMNESTY

¶2. (SBU), Prime Minister Erdogan talked about government efforts to bring PKK members "down from the mountains" on December 9 with members of the traveling press corps as he was returning to Turkey from the Second EU-Africa Summit in Lisbon. According to media reports, Erdogan referred to preparations of a "return to home" law that his administration has been working on in conjunction with the Turkish General Staff (TGS). Asked how the current effort would differ from a series of previous, unsuccessful repentance laws dating from 1985 to the current law, proposed and promulgated by the AKP-led government in 2003 (Turkish Penal Code (TPC) Article 221), Erdogan said those laws met with resistance and defensiveness. The current atmosphere is, he claimed, very different. A new approach can minimize

the number of people going to the mountains and later, he added, "We can also bring those down who are already there."

¶3. (SBU) Erdogan said this new effort would further develop provisions currently in Turkish law that allow for the return to Turkey of PKK members who have not engaged directly in violent acts and who provide intelligence about the organization to Turkish authorities. Although he did not specifically commit his government to proposing new legislation, he said it is possible.

WHICH MAY INVOLVE NEW LEGISLATION

¶4. (SBU) The messages hitting the media are mixed, even from within AKP. Erdogan, according to several media outlets, has instructed state institutions involved in the fight against PKK terrorism to begin preliminary works for preparation of a "return to home" initiative. "Aksam" reported that the cabinet will undertake efforts to reactivate TPC Article 221.

On December 10, both Deputy Prime Minister and GOT spokesman Cemil Cicek and Justice Minister Ali Sahin said the GOT is not working on a new repentance law. Cicek noted that Turkish institutions are evaluating the results of the eight previous such laws to determine why they had been unsuccessful in attracting the bulk of PKK fighters to lay down arms.

¶5. (C) Abdurrahman Kurt, an AKP MP (and ethnic Kurd) from Diyarbakir, told us December 10 that the ruling party has been examining this issue over the past several years. He and a number of his colleagues have made their views known to the Prime Minister regarding the need for a general

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amnesty/return to home law which goes beyond previous repentance laws. He believes a comprehensive approach is needed. At the same time that the possibility of an amnesty is broached, AKP must be seen to be addressing underlying concerns of Turkey's ethnic Kurdish population which led to the formation of the PKK in the first place. This can be done in part through social and economic policies designed to demonstrate a commitment to development of the entire southeastern region. It must entail constitutional reforms that grant greater cultural and linguistic rights, including lifting the time restriction on broadcasting in the Kurdish language.

¶6. (C) On the timing of a roll-out of such a comprehensive package, Kurt cautioned that some of these issues cannot be introduced all at once. Were there a sweeping change on language rights issues, for example, the vast majority of Turks would feel the nation's unity was under threat. Nonetheless, people, and specifically ethnic Kurds, need to believe the state is genuinely committed to resolving these longstanding complaints and not dragging its feet. One cannot change an 80-year old mentality overnight, but Turkey wants to leave behind its racist image. Kurt could not comment on the degree to which Erdogan and party leadership have coordinated their efforts with the TGS, but said there clearly has been dialogue. Pointing to comments made earlier in the year by Land Forces Commander Gen. Basbug, as well as a number of retired generals thought to be speaking on behalf of TGS on the need for a comprehensive -- vice strictly military -- approach to counter the PKK threat, Kurt noted their views parallel those of the government.

OPPOSITION OPPOSED

¶7. (C) Reaction was predictably swift and vehemently negative from the political opposition. Republican People's Party (CHP) leader Deniz Baykal said the goal of terrorists is to divide the Turkish nation and that any weakness in the fight against terrorism would be costly. Passing such a law would be a critical error and demonstrate political ignorance.

Nationalist Action Party (MHP) leader Devlet Bahçeli criticized the PM's remarks, saying that an amnesty would mean "pardoning the murderers of our martyrs and innocent people." He urged Erdogan to "stop playing with fire" and "come to his senses." Pro-Kurdish Democratic Society Party (DTP) MP Sirri Sakik said Erdogan's plan has no chance for success. Noting there is no tolerance for DTP deputies seated in parliament, he asked why PKK members would believe the government is committed to solving the underlying problems of Turkey's ethnic Kurds through democratic means. DTP MP Akin Birdal was equally dismissive. He told us that he has seen the AKP take no steps that would contribute to a long-term solution to the problems of Turkey's southeast. Birdal questioned whether a new repentance law would be a serious, sincere effort to solve these problems, or just another attempt to de-fang the PKK. He called on the government to move forward with comprehensive reforms and address what ethnic Kurds desire, as conveyed most recently in the final resolution of the European Parliament's fourth international conference on the EU, Turkey, and the Kurds, which took place December 3-4 in Brussels.

18. (C) Ibrahim Aksoy, Vice Chairman of the Participatory Democracy Party (KADEP), a predominantly Kurdish political party, told us December 11 the vast majority of Turkey's Kurds are moderates who oppose PKK violence and want their cultural and linguistic rights accommodated within a unified, democratic Turkish republic. Unfortunately, they are remaining quiet under pressure from hard-line nationalist Turks on one side and hard-line, violent pro-PKKers on the other. Aksoy stressed that only an all-encompassing solution that addresses problems of integration (illiteracy,

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unemployment, lack of social acceptance) of former PKK members can succeed where previous efforts at reconciliation have fallen short.

19. (C) COMMENT: Any effort to demobilize PKK members will have to achieve consensus among most levers of the state and be more attuned to the need to reintegrate PKKers into society than has been the case with past laws. Right now, AKP appears to be reviewing the bidding. On an issue of such national significance, the AKP-led government cannot move forward on amnesty without buy-in from the military -- which Erdogan recognizes. Senior officers have indicated the need to go beyond military means to counter the PKK threat, but it is not yet clear whether thinking there has evolved so far as to consider some form of general amnesty. AKP now has several months until the winter weather breaks and PKK terrorist acts resume to lay the groundwork for such a comprehensive approach. It may prove the greatest litmus test of the Erdogan government's willingness and courage effectively to tackle the country's toughest issues.

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